

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeanne DiGiorgio on May 9, 2008.

The application has been amended as follows:

Claim 1 (currently amended). An isolated DNA encoding a protein whose deletion of function causes an increase in the glumous flowers, fruits, or seeds of a plant, wherein the DNA is any one of (a) to (c):

(a) a DNA encoding a protein comprising the amino acid sequence of SEQ ID NO:3;

(b) a DNA consisting of the coding region of the nucleotide sequence of SEQ ID NO:1; and

(c) a DNA [comprising a coding region comprising] consisting of the nucleotide sequence of SEQ ID NO:2.

Claim 16 has been canceled.

Claim 18 (currently amended). An agent for [changing] increasing the number of glumous flowers, fruits, or seeds of a plant, wherein the agent comprises the DNA of claim 1 as an active ingredient.

Claims 1-3, 6-12 and 18 are allowed.

The above claim amendments were made to obviate issues under 35 USC 102 and 35 USC 112, first paragraph.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Bui whose telephone number is 571-272-0793.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached on 571-272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phuong T. Bui/
Primary Examiner, Art Unit 1638
5/12/08